

REMARKS

Claims 1 to 118 were presented by Applicants. Claims 32, 56-80 and 110 are amended. No new matter is being added.

Claims 32 and 110 are amended solely to remove a duplicate word from each claim.

Claims 56-80 are each amended to recite "the processing device" instead of "the second output device", which lacked antecedent basis. The amendments are not made for any other reason relating to patentability. The Examiner is asked to withdraw the rejection under 35 U.S.C. § 112 in view of the amendments.

The Examiner rejected claims 1-6, 20-21, 40, 45, 55, 81-84, 98-99 and 118 under 35 U.S.C. § 103(a) as obvious in view of the combination of Jacobs, Motoyama and Gopal. Applicants traverse.

Claim 81 recites:

A method for printing time-based media, the method comprising:
receiving time-based media data from a media source;
receiving user input, the user input specifying a multimedia function to perform on the time-based media, an amount of processing to be performed by a printer, and an amount of processing to be performed by a processing device;
performing, by the printer, the amount of processing specified to be performed by the printer to carry out the specified multimedia function;
performing, by the processing device, the amount of processing specified to be performed by the processing device to carry out the specified multimedia function;
producing output on the printer associated with the processed media data; and
producing an electronic output associated with the processed media data.

The claimed invention enables multimedia functions such as event detection, sound localization, speech recognition, face detection and the like to be performed

using processing power from both a printer and a processing device. A user specifies both the multimedia function to perform, as well as the division of labor—that is, how much processing is to be performed by the printer itself, and how much is to be performed by the other processing device. After the processing is completed, printer output and electronic output are provided.

The Examiner's rejection is a cobbling together of three disparate references in order to construct a rejection in hindsight and should be withdrawn.

Jacobs discloses a method and apparatus for converting outline data to raster data. Jacobs teaches using multiple processors in parallel to perform rasterizing operations, and sending the rasterized data to a processor that then executes a draw order. Jacobs is directed at solving the problem of being able to provide rasterized data quickly enough to support the high-speed operation of a printer such as a laser printer. See, for example, Jacobs col. 1, line 29 – col. 2, line 15.

Motoyama discloses a video processing method and apparatus for color conversion and color adjustment. Motoyama addresses a problem in the prior art in which video color correction causes loss of gradation, and additionally provides an improved way of specifying a particular area to be subjected to color adjustment. See, for example, Motoyama col. 1, lines 30-43.

Gopal describes a method for load balancing in a heterogeneous computing environment (HCE), addressing the problem of how to perform load balancing in a heterogeneous, rather than a homogeneous computing environment. Gopal, p. 1. Gopal proposes a priority-based algorithm that dynamically adjusts the quality of service for processes of a parallel program by detecting dependences among them. *Id.*

As is clear from the above description, the three references are from three different fields, each directed at solving an entirely unrelated problem—Jacobs at improving the providing of rasterized data; Motoyama at performing color adjustments on video; and Gopal at performing load balancing in HCE.

The Examiner's rejection of claim 81 mixes and matches disclosure from the three unrelated references in order to find support – for example, Jones is cited as teaching receiving media data from a media source, but the Examiner acknowledges that Jacobs does not disclose that the media data is time-based media data, turning instead to Motoyama's disclosure of video to overcome the problem. However, even selecting from the two references together, the Examiner admits that there is no teaching of "user input specifying a multimedia function to perform on the time-based media, an amount of processing to be performed by a printer, and an amount of processing to be performed by a processing device," as claimed. For this, the Examiner relies on Gopal's HCE load balancing. Put together, the Examiner asserts that in order to obtain the claimed method, one of ordinary skill in the art would have started with a solution to a slow rasterization problem, combined the technique with a video color correction scheme, and then looked to the field of heterogeneous distributed computing.

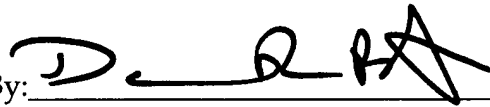
As is clear from the above, the references are not properly combinable, nor is there any suggestion to combine them. "The mere fact that the references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination" *Id.* (citing *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990)) (emphasis in original). Furthermore, "[t]he level of skill in the art cannot be relied upon to provide the suggestion to combine references. MPEP 2143.01; *Al-Site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999). Simply because "modifications of the prior art to meet the claimed invention would have been 'well within the ordinary skill of the art at the time the claimed invention was made' because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a *pram facie* case of obviousness without some objective reason to combine the teachings of the references" *Id.* (citing *Ex. Parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993)) (emphasis in original).

Accordingly, the combination of the Jacobs, Motoyama and Gopal references does not render the claimed invention obvious, and as the claim is patentable the rejection should be withdrawn. The rejections of the remaining claims under 35 U.S.C. § 103 all rely at least in part on improper combinations of the references discussed above, and therefore those rejections should also be removed.

If any matters remain outstanding prior to allowance of the claims, the Examiner is invited to contact the undersigned attorney at (415) 875-2358 or via e-mail at dbrownstone@fenwick.com. Applicants acknowledge that a copy of any electronic mail communications will be made of record in the application file per MPEP § 502.03.

Respectfully submitted,
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